

Notice of Allowability

Application No.

09/465,246

Examiner

Grigory Gurshman

Applicant(s)

BUSH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/25/04.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☒ The drawings filed on 6/25/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Drawings

1. The amended drawings are accepted by examiner.

Allowable Subject Matter

2. Claims 1-32 are allowed.
3. The following is an examiner's statement of reasons for allowance:
 - 3.1 Referring to the independent claims 1, 7, 10, 15 and 32, Romney discloses method and apparatus for authenticating an electronic document (see abstract and Fig.1). Romney shows verification of sending of the electronic document by the sender (originating party 100 in Fig.1) and verification of the receipt of the electronic document by a recipient (receiving party 160 in Fig.1) in association with a third party (authenticator 130 in Fig. 1). Romney teaches that a message digest is a value that is generated when an electronic document is passed through a one way encryption process ("digesting process") such as a hashing routine. An ideal digesting process is one for which the probability that two different electronic documents will generate the same message digest is near zero. In this form of digital signature, both the sender and the recipient need to know which digesting process is being used. The sender generates the electronic document, and generates a message digest by passing the electronic document through the digesting process. The sender encrypts the resulting message digest with the sender's private key. The result, the encrypted message digest, then becomes the digital signature of the electronic document. The digital

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signature may be appended to the electronic document or kept as a separate entity (see column 2, line 63 through column 3, lines 1-10).

3.2 Romney, however does not explicitly teach encrypting portions of an electronic document with different encryption algorithms. Referring to the instant claims, Brown discloses a method for document-driven processing of digitally-signed electronic documents (see abstract and Fig.1). Brown teaches the use of a message digest and encryption (see unit 108 in Fig.2). Brown teaches a computer-implemented method for digitally signing an electronic document by a plurality of signers, each signer having a signing role and a unique private key for applying a digital signature, each signing role corresponding to a to-be-signed portion of the document, at least two signing roles corresponding to different to-be-signed portions (see column 33, lines 55-62).

3.3 Romney and Brown alone or in combination do not teach or suggest the following:

with regard to claims 1 and 32

- *key request being recorded by the at least one third party as evidence of receipt of the electronic document by the recipient;*

with regard to claim 7

- *transmitting the key request for a decryption key ... the key request further serving as evidence of receipt of the electronic message and decryption of the encrypted document portion;*

with regard to claims 10 and 15

- *recoding the encrypted message has been communicated to the recipient ...*

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- *recording that the recipient has requested the second decryption key...*
- *recording that recipient has received the decryption key...*

In summary, prior art of record does not teach or suggest establishing an evidentiary trail for providing the evidence that a recipient has received an encrypted message and decrypted and performed the decryption. Evidentiary trail is established by the third party.

3.4 Therefore, independent claims 1, 7, 10, 15 and 32 along with the corresponding dependent claims are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (703) 306-2900. The examiner can normally be reached on 9 AM-5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

G.G.

GG

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